

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 1992

1 WHEREAS, has submitted an application designated as Special Permit No.  
2 1992 for authority to develop Edenton Woods Community Unit Plan consisting of 46 single-  
3 family and attached single-family dwelling units with a request to waive the minimum lot  
4 area on property located northeast of the intersection of Ashbrook Drive and Highway 2,  
5 and legally described to wit:

6 Lot 76, located in the Southwest Quarter of Section 15, Township 9  
7 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska;  
8 and more fully described as follows:

9 Referring to the northwest corner of the Southwest Quarter of said  
10 Section 15; thence south 89 degrees 57 minutes 52 seconds east,  
11 on the north line of the Southwest Quarter of said Section 15, a  
12 distance of 2,064.27 feet to the point of beginning; thence south 89  
13 degrees 57 minutes 52 seconds east, a distance of 591.63 feet;  
14 thence south 00 degrees 06 minutes 58 seconds west, on the east  
15 line of the Southwest Quarter of Section 15, a distance of 1080.00  
16 feet; thence north 52 degrees 06 minutes 58 seconds west, a  
17 distance of 162.00 feet; thence north 79 degrees 42 minutes 41  
18 seconds west, a distance of 218.50 feet; thence north 89 degrees 53  
19 minutes 02 seconds west, a distance of 151.00 feet; thence south 36  
20 degrees 01 minutes 38 seconds west, a distance of 166.24 feet;  
21 thence north 00 degrees 06 minutes 58 seconds east, a distance of  
22 1076.00 feet to the north line of the Southwest Quarter of Section 15  
23 and the point of beginning, containing 47 lots, 5 outlots, and a  
24 calculated area of 13.296 acres, more or less;

25 WHEREAS, the real property adjacent to the area included within the site  
26 plan for this Community Unit Plan will not be adversely affected; and

27 WHEREAS, said site plan together with the terms and conditions hereinafter  
28 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
29 Code to promote the public health, safety, and general welfare.

1                   NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
2 Lincoln, Nebraska:

3                   That the application of Caseyco, hereinafter referred to as "Permittee", to  
4 develop Edenton Woods Community Unit Plan consisting of 46 single-family and attached  
5 family units on the property legally described above, be and the same is hereby granted  
6 under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal  
7 Code upon condition that construction and operation of said community unit plan be in  
8 strict compliance with said application, the site plan, and the following additional express  
9 terms, conditions, and requirements:

10                  1.       This permit approves 46 single-family and attached single-family  
11 dwelling units with a waiver of the minimum lot area to allow for some of the lots to be  
12 smaller than the 5,000 square foot minimum required in the R-3 District when associated  
13 with a community unit plan.

14                  2.       Before receiving building permits:

15                          a.       The Permittee must submit an acceptable revised and  
16                                       reproducible final plan including five copies.

17                          b.       The construction plans must conform to the approved plans.

18                          c.       Final plats within the area of this community unit plan must be  
19                                       approved by the City.

20                  3.       Before occupying the dwelling units all development and constructin  
21 must be completed in conformance with the approved plans.

22                  4.       All privately-owned improvements must be permanently maintained  
23 by the Permittee or an appropriately established homeowners association approved by the

1 City Attorney.

2 5. The site plan approved by this permit shall be the basis for all  
3 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
4 elements, and similar matters.

5 6. The terms, conditions, and requirements of this resolution shall be  
6 binding and obligatory upon the Permittee, its successors, and assigns. The building  
7 official shall report violations to the City Council which may revoke the special permit or  
8 take such other action as may be necessary to gain compliance.

9 7. The Permittee shall sign and return the City's letter of acceptance to  
10 the City Clerk within 30 days following approval of the special permit, provided, however,  
11 said 30-day period may be extended up to six months by administrative amendment. The  
12 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
13 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
14 Permittee.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor